HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.1988 of 2007

Dated:01.03.2007

Between:

C.Ravikanth.

…Petitioner

and

The District Collector.

…Respondent

HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.1988 of 2007

ORDER:

The petitioner made an application on 02.03.2006 to the respondent seeking Money Lenders Licence under the Andhra Pradesh (Telangana Area) Money Lenders Act, 1349 F (Act No.V of 1349 F) (for short 'the Act'). Even after lapse of about one year, the respondent did not take any action nor passed any orders. Alleging this, the petitioner filed the instant Writ Petition seeking a mandamus to the respondent declaring the action of the respondent as illegal, and for appropriate relief.

After getting instructions, the learned Assistant Government Pleader for Revenue (General-T) submits that the application dated 02.03.2006 has been forwarded by the respondent to the Deputy Commissioner of Police (North Zone), Hyderabad, on 08.08.2006, and that as and when a report is received, appropriate orders will be passed.

Rule 11 of the Money Lenders Rules (for short 'the Rules') promulgated under Section 15(1) of the Act, reads as under.

> **11.Procedure on presentation of application:-** As soon as an application is made in the prescribed form, the competent officer shall enter the date of receipt thereon and if

the application is in accordance with the rules, shall proceed as follows:-

(a) He shall require the applicant to deposit licence fee prescribed under Rule 9 which shall be credited in the concerned treasury under the Revenue Head.

(b) After the fee is deposited the application shall, so far as it is relevant, be entered in the register mentioned in Rule 4 and after duly filing up the licence, relevant serial number and date of the aforesaid register shall be entered therein, and the licence shall within two weeks from the date of depositing the amount be given to the applicant on acknowledgement of receipt by him.

As per Rule 11(b) of the Rules, the Licensing Authority should issue licence within two weeks from the date of depositing the amount as required under Rule 11(a) of the Rules. It is very unfortunate that this provision of law is ignored by the respondent. Even though the application was made on 02.03.2006, for some unexplicable reasons, the respondent sent the same to the Deputy Commissioner of Police (North Zone) after lapse of five months, and it appears, the matter was not pursued further. This is certainly an objectionable way of disposing of applications for licence.

The respondent is, therefore, directed to pass necessary orders within a period of two weeks from the date of receipt of a copy of this order, if necessary, by obtaining a report from the Deputy Commissioner of Police (North Zone) forthwith by sending Messenger to get a copy of the report.

The Writ Petition is accordingly disposed of. No costs.

_____

(V.V.S.RAO, J)

01.03.2007
vs